

IC 3-7-27**Chapter 27. County Voter Registration; Offices and Records Generally****IC 3-7-27-1****Registration record; affidavits and forms**

Sec. 1. The registration affidavits or forms of each precinct are the registration record of all voters residing in and entitled to vote in the precinct. The registration record shall be compiled, amended, supplemented, and preserved as prescribed by this article.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-2**Custody of property**

Sec. 2. Each board of registration has custody of all registration facilities, equipment, supplies, forms, records (including the records of registered voters of the county), registration affidavits, and other property used in connection with the registration of voters of the county.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-3**Offices**

Sec. 3. The county executive shall provide each board of registration with suitable offices. The offices must be:

- (1) located in the county courthouse or in a building easily accessible to the courthouse;
- (2) easily accessible to the public; and
- (3) adequate to meet the needs of the board.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-4**Record keeping; methods**

Sec. 4. A circuit court clerk or board of registration may:

- (1) keep records by using electronic data processing equipment; and
- (2) enter into contracts for this purpose.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-5**Records unfit to be used**

Sec. 5. If the registration records of a precinct are destroyed, mutilated, inaccessible, or for any other reasonable cause, unfit to be used, as determined by the county election board of the county in which the precinct is located, the circuit court clerk or board of registration shall conduct a registration of all voters residing in the precinct. Each voter who is a resident of the precinct must register as provided in this article.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-6

Ensuring accuracy; implementation of programs; records; computerized registration information

Sec. 6. (a) As required under 42 U.S.C. 1973gg-6(i), a county voter registration office shall retain records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of the voter registration list. These records include the following:

- (1) Lists of names and addresses of voters who were sent notices under the voter list maintenance program.
- (2) Information concerning whether a voter has responded to a notice described by subdivision (1) as of the date the inspection of the record is made.

(b) The county voter registration office shall retain the records described by this section for at least two (2) years. Except for records concerning declinations to register to vote or that indicate the identity of a voter registration agency where a person registered, the county voter registration office shall make the records available for public inspection and photocopying at a reasonable cost as provided in IC 5-14-3.

(c) In accordance with IC 5-14-3-3(g) and notwithstanding any other statute, a county voter registration office shall, with regard to voter registration information concerning voters of the county on a computerized system, act in accordance with a nondiscriminatory uniform policy adopted by the county election board. The policy must either permit a person to duplicate or obtain a duplicate copy of a computer tape, computer disc, microfilm, or other similar record system that contains this voter registration information or not permit the person to duplicate or obtain a duplicate copy of the information.

(d) A person who requests computerized voter registration information under subsection (c) must provide a written statement that the person will not:

- (1) use the information to solicit merchandise, goods, services, or subscriptions; or
- (2) sell, loan, give away, or otherwise deliver the information obtained by the request to any other person;

for a purpose other than political activities or political fundraising activities.

(e) Publication of information obtained under subsection (d) in a news broadcast or newspaper is not prohibited.

As added by P.L.12-1995, SEC.37. Amended by P.L.3-1997, SEC.82; P.L.209-2003, SEC.36.

IC 3-7-27-7

Active voter; determination

Sec. 7. The voter registration records must indicate whether a person is an active voter. The circuit court clerk or board of registration is not required to compile separate lists of active and inactive voters.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-8**Memorandum**

Sec. 8. In a county that has a board of registration, the board shall have prepared a memorandum for each voter's original affidavit of registration or transfer of an original registration executed by the board.

As added by P.L.12-1995, SEC.37. Amended by P.L.2-1997, SEC.7; P.L.66-2003, SEC.6.

IC 3-7-27-9**Contents of memorandum**

Sec. 9. The memorandum must indicate the name, assigned identification number, street and number, ward, and precinct of each resident voter of the county who has executed an original affidavit of registration. For a resident voter of the county who executes a transfer of an original registration or a change of name, the memorandum must indicate the name, the assigned identification number, and the former and present addresses by street and number, ward, and precinct.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-10**Retention of memorandum**

Sec. 10. The board of registration shall retain the original copies of all memoranda or microfilmed copies of the memoranda as part of the board's records until disposal of the record is permitted under this article after cancellation of the registration.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-11 Repealed

(Repealed by P.L.3-1997, SEC.475.)

IC 3-7-27-12**Availability of information**

Sec. 12. Except for information declared confidential under this article, the affidavits or forms must be available at reasonable times during regular office hours for inspection, transcription, and duplication, including photocopy duplication and microfilming, as provided in IC 5-14-3.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-13**Repealed**

(Repealed by P.L.3-1997, SEC.475.)

IC 3-7-27-14

(Repealed by P.L.3-1997, SEC.475.)

IC 3-7-27-15**Storage of affidavits or forms**

Sec. 15. (a) This section does not apply to a county acting in accordance with section 21 or 22 of this chapter. The county voter registration office shall keep all original affidavits or forms of registration in the clerk's or board's office except when the affidavits or forms are in the possession of the precinct election boards for use on election day at the polls. The county voter registration office shall keep any duplicate affidavits or forms at all times in the clerk's or board's office.

(b) If the original affidavits or forms of registration have been microfilmed or recorded through a similar electronic process authorized under IC 5, any duplicate affidavits may be:

(1) stored in a secure location outside of the office of the clerk or board; or

(2) discarded, if a microfilmed or similar electronic record of the duplicate affidavits is stored in a secure location outside of the office of the clerk or board.

As added by P.L.12-1995, SEC.37. Amended by P.L.3-1995, SEC.37; P.L.3-1997, SEC.83.

IC 3-7-27-16

Arrangement in binders or card files

Sec. 16. (a) This section does not apply to a county if the county election board has adopted a resolution providing that affidavits or forms are not required to be delivered to the polls.

(b) The affidavits or forms shall be securely arranged in suitable binders or card files before being delivered to the inspector of each precinct to be used at an election.

As added by P.L.12-1995, SEC.37. Amended by P.L.3-1997, SEC.84.

IC 3-7-27-17

Municipalities

Sec. 17. The registration record used at any municipal primary or municipal election is that part of the registration record of the county in which the municipality is located.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-18

Cancellation; entry into record

Sec. 18. When a registration is canceled for any reason prescribed in this chapter, the circuit court clerk or board of registration shall have a proper entry made on the voter registration record indicating the date and the cause for cancellation. The person who canceled the affidavits or forms shall also sign the affidavits or forms.

As added by P.L.12-1995, SEC.37.

IC 3-7-27-19

Cancellation; disposal of affidavit or form

Sec. 19. The original canceled affidavit or form shall be filed and preserved in the office of the clerk or board for the period required by this article and then transferred to the county commission of

public records for disposal under IC 5-15-6-7.
As added by P.L.12-1995, SEC.37.

IC 3-7-27-20

Computerized systems; voter application documentation; entry into systems; expiration of section

Sec. 20. (a) This section applies to a county that maintains voter registration information in a computerized system.

(b) The county voter registration office shall prepare an entry in the computerized system that accurately reflects the information set forth in the original affidavit of registration and, if the applicant was required to provide documentation under IC 3-7-33-4.5, whether the required documentation has been provided.

(c) If the documentation required under IC 3-7-33-4.5 has been provided, the entry must include the following:

(1) The date the documentation was filed with the county voter registration office.

(2) Whether the documentation was filed with the county voter registration office:

(A) in the form of summary information on a poll list documented in accordance with IC 3-11-8-25 by a precinct election board after the person voted in person at the polling place;

(B) by the county election board after the person applied to cast an absentee ballot; or

(C) by the applicant as part of the original filing of the application to register to vote, or in a subsequent filing received by the county voter registration office.

(3) A brief description of the type of documentation provided or an optically scanned image of the document. The election division shall provide each county voter registration office with a suggested coding system for identifying the types of documentation.

(d) However, the county voter registration office is only required to enter a voter's voting history for the previous ten (10) years if that history is available.

(e) The county voter registration office is not required to prepare a duplicate paper copy of a registration properly entered into the computerized system.

(f) The computerized system must be able to generate lists of voters organized alphabetically and by precinct of residence.

(g) This section expires January 1, 2006.

As added by P.L.3-1995, SEC.38. Amended by P.L.3-1997, SEC.85; P.L.209-2003, SEC.37; P.L.14-2004, SEC.40.

IC 3-7-27-20.1

Application of section; computerized systems; entry of information

Sec. 20.1. (a) This section applies after December 31, 2005.

(b) The county voter registration office shall prepare an entry in the computerized system that accurately reflects the information set

forth in the original affidavit of registration. However, the county voter registration office is required to enter a voter's voting history for the previous ten (10) years only if that history is available.

(c) The county voter registration office is not required to prepare a duplicate paper copy of a registration properly entered into the computerized system.

As added by P.L.209-2003, SEC.38.

IC 3-7-27-20.2

Applicability; computerized system identifying documentation for voter submitting registration application by mail

Sec. 20.2. (a) This section applies after December 31, 2005.

(b) The county voter registration office shall prepare an entry in the computerized system indicating:

- (1) whether the applicant was required to provide documentation under IC 3-7-33-4.5; and
- (2) if so, whether the required documentation has been provided.

(c) If the documentation required under IC 3-7-33-4.5 has been provided, the entry must include the following:

- (1) The date the documentation was filed with the county voter registration office.
- (2) Whether the documentation was filed with the county voter registration office by:
 - (A) a precinct election board after the person voted in person at the polling place;
 - (B) the county election board after the person applied to cast an absentee ballot; or
 - (C) the applicant as part of the original filing of the application to register to vote, or in a subsequent filing received by the county voter registration office.

(3) A brief description of the type of documentation provided.

The election division shall provide each county voter registration office with a suggested coding system for identifying the types of documentation.

As added by P.L.14-2004, SEC.41.

IC 3-7-27-21

Duplicate copies with use of computerized systems; expiration of section

Sec. 21. (a) This section applies to a county whose voter registration records are maintained on a computerized system described by section 20 of this chapter.

(b) The county voter registration office is not required to maintain duplicate paper copies of original registrations if the county maintains a regularly updated copy of the computerized record at a secure location outside of the county voter registration office that would prevent loss of registration information if the records in the county voter registration office were not available.

(c) Notwithstanding IC 5-15, a county voter registration office

may dispose of duplicate paper copies of original registrations made before January 1, 1995, by destroying the duplicate paper copies.

(d) This section expires January 1, 2006.

As added by P.L.3-1995, SEC.39. Amended by P.L.209-2003, SEC.39.

IC 3-7-27-21.1

Application of section; duplicate paper copies of registration information not required

Sec. 21.1. (a) This section applies after December 31, 2005.

(b) The county voter registration office is not required to maintain duplicate paper copies of original registrations.

(c) Notwithstanding IC 5-15, a county voter registration office may dispose of duplicate paper copies of original registrations made before January 1, 2006, by destroying the duplicate paper copies.

As added by P.L.209-2003, SEC.40.

IC 3-7-27-22

Application of section; maintenance of registration affidavits

Sec. 22. (a) This section applies before January 1, 2006, to a county whose voter registration records are maintained on a computerized system described by section 20 of this chapter. After December 31, 2005, this section applies to all counties.

(b) Before January 1, 2006, the county voter registration office may maintain the original affidavits of registration in a secure location outside of the county voter registration office if:

- (1) the county maintains a regularly updated copy of the computerized record as described in section 21(b) of this chapter; and
- (2) the original affidavits are not located in the same location as the updated copy of the computerized record.

After December 31, 2005, the county voter registration office may maintain the original affidavits of registration in a secure location outside the county voter registration office.

As added by P.L.3-1995, SEC.40. Amended by P.L.209-2003, SEC.41.

IC 3-7-27-23

Local computerized registration systems; expiration of section

Sec. 23. (a) This section applies to a county that maintains voter registration information in a computerized system.

(b) If a county voter registration office enters into a contract to acquire voter registration computer software provided by a person other than a person who:

- (1) had previously furnished the voter registration computer software to the county; or
- (2) is currently providing technical assistance regarding the computer software to the county voter registration office;

the county voter registration office shall notify the person who furnished the software or is providing support for the software of this

determination. This notice shall be sent by certified mail, return receipt requested, to the most recent address provided to the county by this person.

(c) Not later than sixty (60) days after the county voter registration office mails the notice described in subsection (b), the person receiving the notice shall provide the person who has entered into a contract with the county voter registration office with information concerning the specifications for the computer software program furnished to the county or supported by that person. A person is not required to provide proprietary information to another person under this subsection but is required to act in good faith to permit the county voter registration office to install the voter registration software supplied by another person.

(d) This section expires January 1, 2006.

As added by P.L.176-1999, SEC.24. Amended by P.L.209-2003, SEC.42.